

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 28, 2001

DIVISION TWO

B136523 People (Not for Publication)
v.
Rodolfo Orozco, Jr.

The judgment is reversed and remanded solely for clarification of sentencing and correction, if necessary, of the abstract of judgment. In all other respects, the judgment is affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
 Todd, J.

B138169 People (Not for Publication)
v.
Steven Peter May

The judgment is modified to include a state penalty assessment of \$50, pursuant to Penal Code section 1464, subdivision (a), and a county penalty assessment of \$35, pursuant to Government Code section 76000, subdivision (a). As modified, the judgment is affirmed. The trial court shall prepare and transmit to the Department of Corrections, an amended abstract of judgment, reflecting the aforesaid penalty assessments, as well as the three-year sentence enhancement under Health and Safety Code section 11370.2, subdivision (c), and the \$50 laboratory analysis fee under Health and Safety Code section 11372.5, subdivision (a), which were imposed at sentencing.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

March 28, 2001-Continued

DIVISION TWO (Continued)

B138728 People (Not for Publication)
v.
Terrence Michael Brady

The judgment is affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
 Todd, J.

B139659 People (Not for Publication)
v.
Mitchell L. Edmondson

The judgment of conviction is affirmed. The sentence is vacated and the cause remanded to the trial court for resentencing in accordance with this opinion.

Cooper, J.

We concur: Nott, Acting P.J.
 Todd, J.

B137772 Jerry Sullivan
v.
City of Los Angeles

Filed order denying petition for rehearing.

DIVISION THREE

B136126 Niehouse (Not for Publication)
v.
Valentine

The order denying the relief motion is reversed. The trial court is directed to conduct further proceedings on the issue of attorney abandonment. Within five days of issuance of the remittitur, Richard G. Sherman is ordered to serve a copy of this opinion on appellants and within five days thereafter, file proof of service with the clerk of this court verifying that such service was effectuated. The clerk of this court is directed to send a copy of this opinion to the California State Bar. Richard G. Sherman, personally, is ordered to pay costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B109400 People (Not for Publication)
v.
Enriquez

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B142757 People (Not for Publication)
v.
Hill

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

[illegible]

The judgment is modified by imposing a \$200 restitution fine pursuant to section 1202.45 and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Schneider, J. (Assigned)

We concur: Klein, P.J.
Crosky, J.

B112660 In re Roberto Sialer Cauchi (Not for Publication)
on
Habeas Corpus

Petition for writ of habeas corpus is denied.

Schneider, J. (Assigned)

We concur: Klein, P.J.
Crosky, J.

DIVISION FOUR

B140977 People (Not for Publication)
v.
Robert B.

For the foregoing reasons, the judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

[illegible]

For the foregoing reasons, the judgment of guilt is affirmed and the matter is remanded for resentencing.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FIVE

B145673 Stephen Bowyer (Not for Publication)
v.
Philip Morris, Inc., et al.

The judgment is reversed. Plaintiff, Stephen Bower, is to recover his costs on appeal only from defendant, Philip Morris Incorporated. No costs are to be recovered on appeal from the remaining defendants. The remaining defendants are to bear their own costs on appeal.

Turner, P.J.

We concur: Grignon, J.
Willhite, J. (Assigned)

B139438 Barbara Lerner
v.
Moses Lerner

Filed order denying petition for rehearing.

March 28, 2001-Continued

DIVISION SIX

B142656 People (Certified for Publication)
v.
Ivan J.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B138135 People (Not for Publication)
v.
Thomas

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B141915 San Luis Obispo County (Not for Publication)
Department of Social Services
v.
Nicholas A.

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

March 28, 2001-Continued

DIVISION SIX (Continued)

B144638 People v. Rubidoux (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B1395123 Vortex Productivity Centers (Not for Publication)
v.
Irving Kirsch Corporation

The judgment is affirmed. Appellant shall bear costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B141451 Reginald Pridmore (Not for Publication)
v.
Gary K. Krieger

The judgment is affirmed. Costs are awarded to Pridmore.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

March 28, 2001-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is reversed and remanded.

Gilbert, P.J.

I concur: Coffee, J.
I dissent: Yegan, J. (Opinion)

B134841 People (Certified for Publication)
v.
Salgado

The order of dismissal is reversed. The matter is remanded to the trial court to sentence Salgado on the carjacking count, resentence on the assault with a firearm count, and enter judgment on the jury verdicts accordingly.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B140733 Egedi (Certified for Publication)
v.
Egedi

The judgment is reversed. The matter is remanded for enforcement of the September 1998 MSA. Wife shall recover her costs and reasonable attorney fees on appeal, to be decided by the trial court on noticed motion.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SIX (Continued)

B142262 In re Joelle C. (Not for Publication)

The April 13, 2000, order is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B141713 People (Not for Publication)
 v.
 Baker

The true finding on appellant's Arkansas conviction for aggravated robbery is reversed. The judgment is otherwise affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B142713 People (Not for Publication)
 v.
 Brisbane

The judgment is modified to reflect that the sentence on count two (burglary) is stayed pursuant to section 654, such stay to become permanent upon completion of the sentence as to count one (forgery), and appellant is entitled to 321 days presentence custody credit. As modified, the judgment is affirmed. Upon remand, the trial court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

March 28, 2001-Continued

DIVISION SIX (Continued)

B139592 People (Not for Publication)
v.
Howe

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.